

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CASE NO. 3:14-CR-107-RJC-DCK**

UNITED STATES OF AMERICA,

Plaintiff,

v.

DOMINIC SMITH,

Defendant.

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ORDER

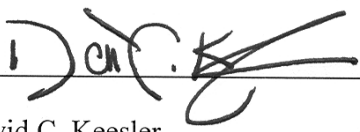
THIS MATTER IS BEFORE THE COURT on the Government's "Application For Writ Of Execution" (Document No. 49) filed January 17, 2024. This motion has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b), and immediate review is appropriate. Having carefully considered the motion and the record, the undersigned will deny the motion without prejudice.

By the instant Application, without any substantive explanation, the Government seeks to levy upon funds "in the amount of \$82,946.49" held in the account at Navy Federal Credit Union Member Savings in the name of Defendant's "wife or former wife, Kiara S. Smith." (Document No. 49, p. 1). Respectfully, the Court needs a greater explanation as to why an execution on the funds of the Defendant's ex-wife would be legally proper.

IT IS, THEREFORE, ORDERED that the Government's "Application For Writ Of Execution". (Document No. 49) is **DENIED without prejudice**. The Government may re-file an application, if appropriate, that explains why the money in Defendant's ex-wife's account is a proper target for a writ of execution.

Signed: February 6, 2024

SO ORDERED.



David C. Keesler
United States Magistrate Judge



